

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>ATSCO HOLDINGS CORP, et al.</b>	)	<b>Case No. 1:15-cv-1586</b>
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>vs.</b>	)	<b>REPORT OF PARTIES' PLANNING</b>
	)	<b>MEETING UNDER FED. R. CIV. P.</b>
<b>AIR TOOL SERVICE COMPANY, et al.</b>	)	<b><u>26(f) and L.R. 16.3(b)</u></b>
	)	
<b>Defendants.</b>	)	
	)	
_____	)	

1. Pursuant to Fed. R. Civ. P. 26(f) and L.R. 16.3(b), a meeting was held on February 15,  
20 16, and was attended by:

Brian P. Muething counsel for plaintiff(s) ATSCO Holdings Corp. & HY-TECH  
Machine, Inc.

\_\_\_\_\_ counsel for plaintiff(s) \_\_\_\_\_

Charles P. Royer counsel for defendant(s) Air Tool Service Company, n/k/a X5432,  
Inc. & Rick J. Sabath

\_\_\_\_\_ counsel for defendant (s) \_\_\_\_\_

2. The parties:

\_\_\_\_\_ have exchanged the pre-discovery disclosures required by Rule 26(a)(1) and the Court's  
prior order;

X will exchange such disclosures by February 25, 2016

\_\_\_\_\_ have not been required to make initial disclosures.

3. The parties recommend the following track:

   Expedited   X   Standard        Complex        Administrative        Mass Tort

4. Pursuant to Local Rule 5.1(c) all documents must be electronically filed absent a showing  
of good cause.

5. This case **is** suitable for one or more of the following Alternative Dispute Resolution (ADR) mechanisms:

\_\_\_\_\_ Early Neutral Evaluation \_\_\_\_\_ Mediation \_\_\_\_\_ Arbitration.

\_\_\_\_\_ Case **is not** suitable for ADR at this time but may be after

discovery.   X   Case **is not** suitable for ADR at any time. **(The parties believe that alternative dispute resolution would be more appropriate after an initial round of discovery and intend at this point to pursue private mediation within approximately 60 days)**

6. The parties \_\_\_\_\_ do/   X   do not consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

7. Recommended Discovery Plan:

(a) Describe the subjects, nature and extent of discovery

The facts and circumstances as identified in Plaintiffs' complaint arising from the asset purchase as well as Defendants' defenses and counterclaim. Both parties reserved the right to conduct all discovery permitted by the Federal Rules of Civil Procedure.

(b) Non-Expert discovery cut-off date: 8/15/2016

(c) Plaintiff's expert report due date: 10/1/2016

(d) Defendant's expert report due date: 11/18/2016

(e) Expert discovery cut-off date: 12/31/2016

8. Recommended cut-off date for amending the pleadings and/or adding additional parties:

May 23, 2016

9. Recommended dispositive motion date: September 12, 2016

10. Recommended date for a Settlement Conference:

See note above

11. Other matters for the attention of the Court: Because Defendant, Air Tool Service Co.,

n/k/a X5432 assets were purchased by Plaintiff, the documents it will produce in its Initial

Disclosures will not be voluminous.

/s/ Brian P. Muething

Attorney for Plaintiff(s) ATSCO Holdings Corp. and HY-  
TECH Machine, Inc.

/s/ Charles P. Royer (per email authorization)

Attorney for Defendant(s) Air Tool Service Company,  
n/k/a X5432, Inc. and Rick J. Sabath

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